

Entered -07-06-00 - sb
CL 00L0405 - GWENDOLYN BURNS

CLAIM OF:

SAFIYYAH S. SABIR
1638 Woodland Avenue, SE
Atlanta, Georgia 30316-3156

01- R -1403

For damages alleged to have been sustained when smoke was
blown into a residence during a sewer line test on May 3, 2000
at 1638 Woodland Avenue, SE.

THIS ADVERSED REPORT IS
APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0405

Date: August 17, 2001

Claimant /Victim SAFIYYAH S. SABIR

BY: (Atty) (Ins. Co.) _____

Address: 1638 Woodland Avenue, SE, Atlanta, Georgia 30316

Subrogation: _____ Claim for Property damage \$ _____ Bodily Injury \$ unspecified

Date of Notice: 6/26/00 Method: Written, Proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 5/3/00 Place: 1638 Woodland Avenue, SE

Department _____ Division _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that her family sustained damage when carbon monoxide smoke from a sewer line test filled her home. An investigation determined that a private contractor was performing a sewer line test at the incident location. The claimant has been advised of same and her claim has been forwarded to the private company for resolution.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other X

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____

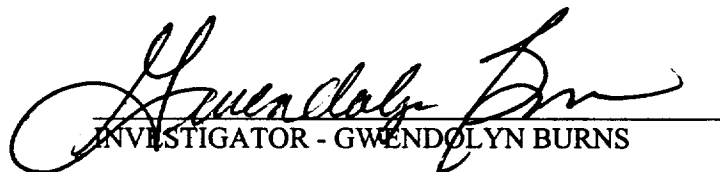
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved X Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 08-27-01

Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 8 May 2000

Dear Municipal Clerk:

ENTERED - 7-6-00 - SB
00L0405 - GWEN BURNS

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ _____ property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 05/03/2000 (month/day/year) 2. Time of Incident: 2:27pm 3. Police called: _____
Yes No
4. Location of incident (including street address): 1638 Woodland Ave. S.E
5. Name of your insurance company: _____ Policy No _____
6. State what and how incident occurred: Statement enclosed.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: _____
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE
INFORMATION IS TRUE AND CORRECT.

Safiyyah S. Sabir
Signature of Claimant

Safiyyah S. Sabir
(Print Claimant's Name)

1638 Woodland Ave. S.E
(Address)

Atlanta Georgia 30316-3156
(City, State and Zip Code)

(Work Number) (404) 627-2806
(Home Number)

SABIR

1638 Woodland Ave. S E ~ Atlanta, GA. 30316
Fax 404-627-2806 ~ Home Phone 404-627-2806 ~ Email sabir5@juno.com
BISMILLAH

June 09, 2000

Council of the City of Atlanta
Municipal Clerk
City Hall
55 Trinity Avenue, S. W.
Atlanta, Georgia 30335

Dear Municipal Clerk

On the 3rd of May, 2000 at about 2:25 p.m.. ADS Environment Services, were testing the sewer lines in front of my home at your request. We did not receive any information about these test, we were totally unprepared for what happened. Smoke from these test filled our home. We thought our home was on fire. We called the fire department, our 4 year old daughter woke me, saying Mom you forgot you were cooking smoke was every where. I thought our home was on fire this was a traumatic and emotionally stressful experience. Mr. Sabir had the fire extinguisher looking for the fire. All seven of our children has asthma, at the time of the incident only our 4 year old was home, I brought her to the Doctor the smoke triggered her asthma. She was treated for asthma and on medication for 10 days. The next day when we found out that it was carbon monoxide that was blown in our home by ADS Environment Services., her doctor and poison control agreed that she should be taken to the hospital for a level test. We would like for the City of Atlanta to conduct an investigation and implement appropriate actions. On how a company of such magnitude was so neglectful (careless) and insensitive. We have suffered damages and would appreciate ADS settling this matter. One would think that after a month this would have been resolved. We spoke with Ms. E. Bethel, District Administrator Ms. S. Keaton, Project Manager and Mr. Jay Heaphard, District Manager on the 8th of May.

Mrs. Safiyyah S. Sabir

01-*R*-1403